

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Attorney Matter No.: 0101457
Date: April 2, 2004
Express Mail Label No.: EU 971493294 US

MAIL STOP PATENT APPLICATION

**CONTINUING APPLICATION TRANSMITTAL
RULE 1.53(b)**

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 C.F.R. §1.53(b) is a

☐ Continuation ☐ Divisional ☒ Continuation-in-Part

application of pending Application Serial No.: 10/776,981 filed February 11, 2004, entitled AQUATIC TOYS

Examiner: _____ Group Art Unit: _____

For (Title): AQUATIC TOYS

By (Inventors): David A. ARIAS

- ☒ A Specification (21 total pages) is attached.
☒ Formal drawings (Figs. 1-7; 7 sheets) are attached.
☒ A Declaration and Power of Attorney is filed herewith.
☒ An assignment of the invention to SWIMWAYS CORP. is filed herewith (with accompanying cover sheet and Check No. 199048 in the amount of \$40.00 to cover the assignment recordation fee).
☒ An Information Disclosure Statement is filed herewith.
☒ A Non-Publication Request under 35 U.S.C. 122(b)(2)(B)(i) is filed herewith.
☒ Applicant(s) claim(s) small entity status under 37 C.F.R. §§1.9 and 1.27.
☒ A Return Receipt Postcard is attached.
☒ The filing fee is calculated below:

**CLAIMS IN THE APPLICATION AFTER ENTRY OF
ANY PRELIMINARY AMENDMENT NOTED ABOVE**

FOR:	NO. FILED	NO. EXTRA
BASIC FEE		
TOTAL CLAIMS	28 - 20	= 8*
INDEP CLAIMS	3 - 3	= 0*
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED		

* If the difference is less than zero, enter "0".

SMALL ENTITY

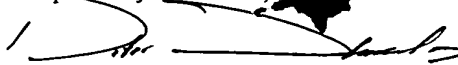
RATE	FEE
	\$ 385
x 9 =	\$ 72
x 43 =	\$ 0
+145 =	\$
TOTAL	\$ 457

**OTHER THAN A
SMALL ENTITY**

RATE	FEE
	\$ 770
x 18	\$
x 86	\$
+290	\$
TOTAL	\$

- ☒ Check No. 199049 in the amount of \$ 457.00 to cover the filing fee is attached. Except as otherwise noted herein, the Commissioner is hereby authorized to charge any other fees that may be required to complete this filing, or to credit any overpayment, to Deposit Account No. 11-0220. Two duplicate copies of this sheet are attached.
☒ This application is entitled to small entity status. DO NOT charge large entity fees to our Deposit Account.

Respectfully submitted,



Peter A. Shaddock II
Registration No. 44,331

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

David A. Arias

Application No.: New C-I-P Application

Docket No.: 0101457

Filed:

For: AQUATIC TOYS


**NON-PUBLICATION REQUEST AND CERTIFICATION
UNDER 35 U.S.C. 122(b)(2)(B)(i)**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I hereby certify that the invention disclosed in the attached C-I-P application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

3-25-04
Date


Signature of Inventor

David A. Arias
Typed or Printed Name of Inventor

This request must be signed in compliance with 37 C.F.R. 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If the applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**